

HOUSE No. 1350

By Mrs. Gomes of Harwich, petition of Shirley Gomes and others relative to the penalties for certain environmental law violations. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

PETITION OF:

Shirley Gomes	Eric Turkington
Susan W. Pope	Matthew C. Patrick
Robert A. O'Leary	James R. Miceli

In the Year Two Thousand and Five.

AN ACT PROVIDING A PENALTY FOR CERTAIN ENVIRONMENTAL LAW VIOLATIONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 40 of chapter 131 of the General Laws, as appearing in
2 the 2000 Official Edition, is hereby amended by striking out the
3 last paragraph and inserting in place thereof the following para-
4 graph:—

5 Whoever violates any provision of this section (a) shall be pun-
6 ished by a fine of not more than \$25,000 per tree cut down, per
7 cubic yard of soil added or removed or ½ of the value of the prop-
8 erty after the violation or by imprisonment for not more than 5
9 years or (b) shall be subject to a civil penalty not to exceed
10 \$25,000 for each violation of which each tree cut down and cubic
11 yard of soil added or removed shall be a separate violation.